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06 UNITED STATES DISTRICT COURT
07 WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

08 FERNANDO AVALOS,) CASE NO. C08-1281-RSM
09)
Petitioner,)
10)
v.) ORDER OF DISMISSAL
11)
A. NEIL CLARK, Field Office Director,)
U.S. Immigration and Customs Enforcement,)
12)
Respondent.)
13 _____)

14 The Court, having reviewed petitioner's Petition for Writ of Habeas Corpus, respondent's
15 motion to dismiss, the Report and Recommendation of the Honorable Mary Alice Theiler, United
16 States Magistrate Judge, any objections or responses to that, and the remaining record, finds and
17 Orders as follows:

- 18 (1) The Court adopts the Report and Recommendation;
19 (2) Petitioner's Petition for Writ of Habeas Corpus, Dkt. 9, is DENIED, Respondent's
20 Motion to Dismiss, Dkt. 14, is GRANTED, and this action is DISMISSED with
21 prejudice; and

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(3) The Clerk is directed to send copies of this Order to the parties and to Judge Theiler.

DATED this 4th day of March, 2009.

A handwritten signature in black ink, appearing to read 'R. S. Martinez', is written over a horizontal line.

RICARDO S. MARTINEZ
UNITED STATES DISTRICT JUDGE